IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

Bail Appl..No. 5140 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.3828/2007
CRIME NO.2/2007 OF EXCISE RANGE, CHENGANNUR

.....

PETITIONER :

SADASIVAN NAIR,
S/O.KUTTAN NAIR, AGED 53 YEARS, POONTHALA
MANNIL VEETTIL, ARUVAPPULAM VILLAGE, KOZHANCHERRY
TALUK, ALAPPUZHA DIST.

BY ADV. SRI.VISHNU.R

RESPONDENT:

EXCISE RANGE INSPECTOR,
CHENGANNUR EXCISE RANGE REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
REP. STATE OF KERALA.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.5140 of 2007

Dated this the 22nd day of August 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the N.D.P.S.Act. He remains in custody from 6/6/2007. An earlier application for regular bail was dismissed by this court as per order dated 27/6/2007 in B.A.No.3828/07. I have adverted to facts in detail of that order. This order is to be read in continuation of that order. I am not hence adverting to facts in greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 25/08/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.2,00,000/- (Rupees two lakhs only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007